



FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. EP 552 (Sub-No. 15)]

Railroad Revenue Adequacy—2010 Determination

AGENCY: Surface Transportation Board.

ACTION: Notice of updated decision.

SUMMARY: On January 2, 2014, the Board served an updated decision announcing the 2010 revenue adequacy determinations for the Nation's Class I railroads, taking into account BNSF Railway Company's refiled R-1 report for 2010. One carrier, Union Pacific Railroad Company, was found to be revenue adequate.

EFFECTIVE DATE: This decision is effective on January 2, 2014.

FOR FURTHER INFORMATION CONTACT: Paul Aguiar, (202) 245-0323.

Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

SUPPLEMENTARY INFORMATION: The Board is required to make an annual determination of railroad revenue adequacy. A railroad is considered revenue adequate under 49 U.S.C. § 10704(a) if it achieves a rate of return on net investment (ROI) equal to at least the current cost of capital for the railroad industry for 2010, determined to be 11.03% in Railroad Cost of Capital—2010, EP 558 (Sub-No. 14) (STB served Oct. 3,

2011). This revenue adequacy standard was applied to each Class I railroad. One carrier, Union Pacific Railroad Company, was found to be revenue adequate for 2010.<sup>1</sup>

The decision in this proceeding is posted on the Board's website at [www.stb.dot.gov](http://www.stb.dot.gov). Copies of the decision may be purchased by contacting the Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Assistance for the hearing impaired is available through FIRS at (800) 877-8339.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: December 31, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

Jeffrey Herzig

Clearance Clerk

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<sup>1</sup> The Board determined the revenue adequacy for 2010 of each Class I railroad in a previous decision served in this docket on November 3, 2011. Now that BNSF Railway Company has refiled its R-1 reports for 2010-2012 in compliance with Western Coal Traffic League—Petition for Declaratory Order, FD 35506 (served July 25, 2013), the Board's January 2, 2014 decision reflects that filing and includes a revised determination of BNSF's revenue adequacy for 2010. The January 2, 2014 decision also replaces the name "Norfolk Southern Railway Company" with "Norfolk Southern Combined Railroad Subsidiaries" and adds a footnote to accompany that change. The November 3, 2011 decision remains unchanged in all other aspects.